IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

FRIDAY, THE 26TH OCTOBER 2007 / 4TH KARTHIKA 1929

Crl.MC.No. 3288 of 2007()

CC.98/2006 of JUDL. MAGISTRATE OF FIRST CLASS COURT-III, NEYYATTINKARA

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PETITIONER: A1 TO A5:

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1. LAWRENCE, S/O. KAMALAPPAN,
   CHRIST ILLAM, PULLUVILA, CHARATTADI PURAYIDOM,
   KARAKULAM VILLAGE.

2. KAMALAPPAN, S/O. ANTONY, -DO- -DO-.

3. PUSHPAM, W/O. AMALOTHBAVAM -DO- -DO-.

4. ROSELY, D/O. PUSHPAM, -DO- -DO-.

5. REESA ANTONY, D/O. PUSHPAM, -DO- -DO-.

BY ADV. SRI.SASTHAMANGALAM S. AJITHKUMAR
SRI.SHAJIN S.HAMEED

RESPONDENTS:

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1. THE STATE OF KERALA,
   REPRESENTED BY THE PUBLIC PROSECUTOR,
   HIGH COURT OF KERALA, ERNAKULAM.

2. SHEELA, D/O. THERESA,
   PUTHIYATHURA THOTTAM PURAYIDOM,KARAKULAM VILLAGE.

BY PUBLIC PROSECUTOR SRI.GIKKU JACOB

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 26/10/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J.

Crl.M.C.No.3288 of 2007

Dated this the 26th day of October 2007

O R D E R

After discussions at the Bar, the learned counsel for the petitioners only prays that the petitioners may be permitted to withdraw this petition without any fetter on their rights to claim discharge at the stage of Section 239/240 Cr.P.C. Needless to say, every indictee shall have, and the petitioners can certainly claim, discharge at the stage of Section 239/240 Cr.P.C. When such plea is raised, the learned Magistrate will of course have to consider the plea and take appropriate decision in the matter.

2. This petition is accordingly dismissed.

(R.BASANT, JUDGE)

jsr

// True Copy// PA to Judge

R.BASANT, J.

CRL.M.CNo.

ORDER

21ST DAY OF MAY2007